



MAY 07 2018

April 25, 2018

**VIA CERTIFIED MAIL**

Shawn Mendoza  
Escondido Ready Mix  
1508 W. Mission Road  
Escondido CA 92029

**VIA CERTIFIED MAIL - RETURN RECEIPT REQUESTED**

Arnold Veldkamp  
Agent for Service of Process  
Superior Ready Mix, L.P.  
1508 W. Mission Road  
Escondido CA 92029

**Re: Clean Water Act Notice of Intent to Sue/60-Day Notice Letter  
Superior Ready Mix's Violations of General Industrial Permit**

Dear Mr. Mendoza:

Please accept this letter on behalf of the Coastal Environmental Rights Foundation (CERF) and San Diego Coastkeeper (Coastkeeper) regarding Superior Ready Mix, L.P.'s (Superior Ready Mix) violations of the State Water Resources Control Board Water Quality Order No. 97-03-DWQ, Natural Pollutant Discharge Elimination System (NPDES), General Permit No. CAS000001, and Waste Discharge Requirements for Discharges of Storm Water Associated With Industrial Activities Excluding Construction Activities (General Industrial Permit).<sup>1</sup>

This letter constitutes CERF and Coastkeeper's notice of intent to sue for violations of the Clean Water Act and General Industrial Permit for the Escondido Ready Mix facility located at 1508 W. Mission Road, Escondido, CA (Escondido Facility or "Facility"), as set forth in more detail below.

Section 505(b) of the Clean Water Act requires that sixty (60) days prior to the initiation of a citizen's civil lawsuit in Federal District Court under Section 505(a) of the Act, a citizen must give notice of the violations and the intent to sue to the violator, the Administrator of the U.S. Environmental Protection Agency, the Regional Administrator of the U.S. Environmental Protection Agency for the region in which the violations have occurred, the U.S. Attorney General, and the Chief Administrative Officer for the State in which the violations have occurred (33 U.S.C. § 1365(b)(1)(A)). This letter provides notice of Superior Ready Mix's Clean Water Act violations and CERF and Coastkeeper's intent to sue.

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<sup>1</sup> On April 1, 2014, the State Water Resources Control Board adopted Order No. 2014-0057-DWQ, which amends the Industrial General Permit ("New Industrial Permit"). These amendments became effective on July 1, 2015. All references to the General Industrial Permit are to the Permit as it existed at the time of the violations noted herein.

## **I. Citizen Groups**

CERF is a non-profit public benefit corporation organized under the laws of the State of California with its main office in Encinitas, CA. CERF is dedicated to the preservation, protection, and defense of the environment, the wildlife, and the natural resources of the California Coast. CERF's mailing address is 1140 S. Coast Highway 101, Encinitas, CA 92024.

Coastkeeper is a nonprofit organization committed to protecting and restoring the San Diego region's water quality and supply. A member of the international Waterkeeper Alliance, Coastkeeper's main purpose is to preserve, enhance, and protect San Diego's waterways, marine sanctuaries, coastal estuaries, wetlands, and bays from illegal dumping, hazardous spills, toxic discharges, and habitat degradation. Coastkeeper implements this mission through outreach, education, activism, participation in governmental hearings, and prosecuting litigation to ensure that San Diego's beaches, bays, coastal waters and tributary streams and rivers meet all substantive water quality standards guaranteed by Federal, State, and local statutes and regulations. Coastkeeper's office is located at 2825 Dewey Road, Suite 200 in San Diego, California 92106.

Members of CERF and Coastkeeper use and enjoy the waters into which pollutants from Superior Ready Mix's ongoing illegal activities are discharged, namely Escondido Creek, San Elijo Lagoon, and eventually the Pacific Ocean (Receiving Waters). The public and members of CERF and Coastkeeper use these Receiving Waters to fish, boat, kayak, surf, swim, scuba dive, birdwatch, view wildlife, and to engage in scientific studies. The discharge of pollutants by the Escondido Facility affects and impairs each of these uses. Thus, the interests of CERF and Coastkeeper's members have been, are being, and will continue to be adversely affected by Superior Ready Mix Owners and/or Operators' failure to comply with the Clean Water Act and the General Industrial Permit.

## **II. Storm Water Pollution and the General Industrial Permit**

### **A. Duty to Comply**

Under the Clean Water Act, the discharge of any pollutant to a water of the United States is unlawful except in compliance with certain provisions of the Clean Water Act. (See 33 U.S.C. § 1311 (a)). In California, any person who discharges storm water associated with industrial activity must comply with the terms of the General Industrial Permit in order to lawfully discharge.

The Escondido Facility is an active concrete batch plant which includes a storage and maintenance building, sand and gravel material piles, a material unloading area, water recycling unit, and dispatch and scale office. (SWPPP, Section 1.0). The Facility SIC Code is 3273, Ready-Mixed Concrete.

Superior Ready Mix enrolled as a discharger subject to the General Industrial Permit on April 7, 1992 for its Escondido Facility located at 1508 W. Mission Road, Escondido, California, 92029. Superior Ready Mix enrolled under the New Industrial Permit on June 25, 2015, WDID Number 9 371005160.

Pursuant to Section C(1) of the General Industrial Permit, a facility operator must comply with all conditions of the General Industrial Permit. (See New Industrial Permit, §I.A.8. [dischargers must

“comply with all requirements, provisions, limitations, and prohibitions in this General Permit.”)]. Failure to comply with the General Industrial Permit is a Clean Water Act violation. (General Industrial Permit, § C.1; New Industrial Permit §XXI.A.). Any non-compliance further exposes an owner/operator to an (a) enforcement action; (b) General Industrial Permit termination, revocation and re-issuance, or modification; or (c) denial of a General Industrial Permit renewal application. As an enrollee, Superior Ready Mix has a duty to comply with the General Industrial Permit and New Industrial Permit and is subject to all of the provisions therein.

#### **B. Failure to Monitor and Report**

The Superior Ready Mix Owners and/or Operators have failed to report all monitoring data as required under the Industrial Permit and New Industrial Permit. Sections B(5) and (7) of the Industrial Permit requires dischargers to visually observe and collect samples of storm water discharged from all locations where storm water is discharged. Facility operators, including the Superior Ready Mix Owners and/or Operators, were required to collect samples from at least two qualifying storm events each wet season, including one set of samples during the first storm event of the wet season. Required samples were to be collected by Facility operators from all discharge points and during the first hour of the storm water discharge from the Facility. Superior Ready Mix did not sample any storm events from 2009 until December 16, 2016. In almost a decade, Superior Ready Mix has taken one sample despite the fact that there were numerous qualifying storm events. (See Exhibit A).

Under the New Industrial Permit, Superior Ready Mix is required to sample two qualifying storm events (QSE) during the first half of the reporting period, and two during the latter half. (New Industrial Permit, §XI.B.2). Compliance Group participants are required to sample one QSE during the first half of the reporting period and one during the latter half. (New Industrial Permit, §XI.B.3). All monitoring data must be uploaded to SMARTS within 30 days of obtaining all results for each sampling event. (New Industrial Permit, §XI.B.11.a.).

Though the Escondido Facility is part of the BMI Compliance Group, the Superior Ready Mix Owners and/or Operators failed to upload the required monitoring data from two sampling events during the 2015-2016, 2016-2017, and 2017-2018 reporting years. Thus, the Superior Ready Mix Owners and/or Operators are in violation of the monitoring requirements of the New Industrial Permit. The Superior Ready Mix Owners and/or Operators further failed to sample discharge points as required. (New Industrial Permit, §XI.B.4.).

Lastly, the Superior Ready Mix SWPPP identifies two discharge locations but only one location was sampled during the one monitoring event (December 16, 2016). (SWPPP, p. 8). Therefore, Superior Ready Mix has also failed to monitor all discharge locations as required.

The Superior Ready Mix Owners and/or Operators had numerous opportunities to sample but failed to do so. (See Exhibit A). Every day the Superior Ready Mix Owners and/or Operators failed to adequately monitor the Facility is a separate and distinct violation of the Industrial Permit, New Industrial Permit, and Section 301(a) of the Clean Water Act, 33 U.S.C. § 1311(a). These violations are ongoing and the Superior Ready Mix Owners and/or Operators will continue to be in violation every day they fail to adequately monitor the Facility. The Superior Ready Mix Owners and/or Operators are thus subject to penalties in accordance with the Industrial Permit – punishable by a minimum of \$37,500 per day of



violations prior to November 2, 2015, and \$51,570 per day of violations occurring after November 2, 2015. (33 U.S.C. §1319(d); 40 CFR 19.4; New Industrial Permit, §XXI.Q.1).

**C. The Escondido Facility Discharges Contaminated Storm Water in Violation of the General Industrial Permit**

Though Superior Ready Mix has failed to monitor its discharges for a decade, its one sample data point (December 16, 2016) indicates the Facility likely discharges contaminated storm water with every significant rain event.

Discharge Prohibition A(2) of the General Industrial Permit and New Industrial Permit Sections III.C-D prohibit storm water discharges and authorized non-storm water discharges which cause or threaten to cause pollution, contamination, or nuisance.

Effluent Limitation B(3) of the General Industrial Permit requires dischargers to reduce or prevent pollutants associated with industrial activity in storm water discharges through implementation of BMPs that achieve Best Available Technology Economically Achievable (“BAT”) for toxic and non-conventional pollutants and Best Conventional Pollutant Control Technology (“BCT”) for conventional pollutants. The New Industrial Permit includes the same effluent limitation. *See* New Industrial Permit, Effluent Limitation V(A).

Information available to CERF and Coastkeeper, including via review of publicly available information and observations, indicates BMPs that achieve BAT/BCT have not been developed and/or implemented at the Facility. Consistent with CERF and Coastkeeper’s review of available information and direct observations, the analytical results of storm water sampling at the Facility demonstrate that the Superior Ready Mix Owners and/or Operators have failed and continue to fail to develop and/or implement BAT/BCT and achieve compliance with BAT/BCT standards, as required. Specifically, Facility discharges have exceeded EPA Benchmarks for numerous pollutants. EPA Benchmarks are relevant and objective standards for evaluating whether a permittee’s BMPs achieve compliance with BAT/BCT standards as required by Effluent Limitation B(3) of the 1997 Permit and Effluent Limitation V(A) of the New Industrial Permit.<sup>1</sup>

Receiving Water Limitation C(1) of the Storm Water Permit prohibits storm water discharges to surface or groundwater that adversely impact human health or the environment. Receiving Water Limitation C(2) prohibits storm water discharges and authorized non-storm water discharges which cause or contribute to an exceedance of any water quality standards or applicable Basin Plan water quality standards. (See New Industrial Permit Receiving Water Limitations VI.A-C). In addition, Receiving Water Limitation VI.C. of the New Industrial Permit prohibits discharges that contain pollutants in quantities that threaten to cause pollution or a public nuisance.

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<sup>1</sup> *See United States Environmental Protection Agency (EPA) National Pollutant Discharge Elimination System (NPDES) Multi-Sector General Permit for Stormwater Discharges Associated with Industrial Activity (MSGP) Authorization to Discharge Under the National Pollutant Discharge Elimination System, as modified effective February 26, 2009, Fact Sheet at 106; see also, 65 Federal Register 64839 (2000).*

The California Toxics Rule ("CTR"), 40 C.F.R. 131.38, is an applicable water quality standard. (*Baykeeper v. Kramer Metals, Inc.* (C.D.Cal. 2009) 619 F.Supp.2d 914, 926). "In sum, the CTR is a water quality standard in the General Permit, Receiving Water Limitation C(2). A permittee violates Receiving Water Limitation C(2) when it 'causes or contributes to an exceedance of' such a standard, including the CTR." (*Id.* at 927).

If a discharger violates Water Quality Standards, the General Industrial Permit and the Clean Water Act require that the discharger implement more stringent controls necessary to meet such Water Quality Standards.(General Industrial Permit, Fact Sheet p. viii; 33 U.S.C. § 1311(b)(1)(C); New Industrial Permit, §XX.B.). The Superior Ready Mix Owners and/or Operators have failed to comply with this requirement, routinely violating Water Quality Standards without implementing BMPs to achieve BAT/BCT or revising the Facility's SWPPP pursuant to General Industrial Permit section (C)(3) and New Industrial Permit Section X.B.1.

As demonstrated by Superior Ready Mix's own sample data and independently obtained run-on samples from Superior Ready Mix's neighbor, the Superior Ready Mix Owners and/or Operators have discharged and continue to discharge storm water containing pollutants at levels in violation of water quality prohibitions and limitations during every significant rain event. The Escondido Facility's sampling data reflects numerous discharge violations (see below). Superior Ready Mix's own sampling data is not subject to impeachment. (*Baykeeper, supra*, 619 F.Supp. 2d at 927, citing *Sierra Club v. Union Oil Co. of Cal.*, (9th Cir. 1987) 813 F.2d 1480, 1492 ["when a permittee's reports indicate that the permittee has exceeded permit limitations, the permittee may not impeach its own reports by showing sampling error"]).

In addition, data obtained by Superior Ready Mix's neighbor California Metal Services – which receives run-on directly from the Escondido Facility – demonstrates the Escondido Facility continuously discharges contaminated storm water during rain events which have not been sampled and contaminated unauthorized non-storm water year-round. Notably, the February 13, 2018 sample was not taken during a rain event and constitutes an unlawful non-storm water discharge in violation of the Clean Water Act and New Industrial Permit.

No.	Date	Discharge Point	Parameter	Units	Result	Benchmark/ WQO	Benchmark/ NAL
1	12/16/2016	Outfall 1	Iron	mg/L	1.59	.3 <sup>1</sup>	1.0 <sup>3</sup>
2	2/13/2018	Outfall 1 Downstream	Copper	mg/L	.064	.013 <sup>2</sup>	.0332
3	2/13/2018	Outfall 1 Downstream	Iron	mg/L	1.31	.3 <sup>1</sup>	1.0 <sup>3</sup>
4	2/13/2018	Outfall 1 Downstream	Aluminum	mg/L	1.69	.75 <sup>3</sup>	.75
5	2/13/2018	Outfall 1 Downstream	pH		10.6	Not < 6.5 or >8.5	Not < 6.0 or > 9.0



6	2/13/2018	Outfall 1 Downstream	TSS	mg/L	348	100 <sup>3</sup>	100
7	2/13/2018	Outfall 1 Downstream	Aluminum	mg/L	4.47	.75 <sup>3</sup>	.75
8	2/13/2018	Outfall 1 Downstream	Copper	mg/L	.061	.013 <sup>2</sup>	.262
9	2/13/2018	Outfall 1 Downstream	Iron	mg/L	4.06	.3 <sup>1</sup>	1.0 <sup>3</sup>
10	2/27/2018	Outfall 1 Downstream	Copper	mg/L	.034	.013 <sup>2</sup>	.262
11	2/27/2018	Outfall 1 Downstream	Iron	mg/L	13	.3 <sup>1</sup>	1.0
12	2/27/2018	Outfall 1 Downstream	Aluminum	mg/L	10.8	.75 <sup>3</sup>	.75
13	2/27/2018	Outfall 1 Downstream	pH		10.55	Not < 6.5 or > 8.5	Not < 6.0 or > 9.0
14	2/27/2018	Outfall 1 Downstream	TSS	mg/L	581	100 <sup>3</sup>	100/400 <sup>4</sup>
15	2/27/2018	Outfall 1 Downstream	COD	mg/L	145	120	120
16	2/27/2018	Outfall 1 Downstream	Zinc	mg/L	.80	.12 <sup>2</sup>	.26
17	2/27/2018	Outfall 1 Downstream	Iron	mg/L	3.64	.3 <sup>1</sup>	1.0
18	2/27/2018	Outfall 1 Downstream	Aluminum	mg/L	3.06	.75 <sup>3</sup>	.75
19	2/27/2018	Outfall 1 Downstream	pH		8.66	Not < 6.5 or > 8.5	Not < 6.0 or > 9.0
20	2/27/2018	Outfall 1 Downstream	TSS	mg/L	151	100 <sup>3</sup>	100/400 <sup>4</sup>
21	2/27/2018	Outfall 1 Downstream	Copper	mg/L	.069	.013 <sup>2</sup>	.262
22	2/27/2018	Outfall 1 Downstream	Zinc	mg/L	.73	.12 <sup>2</sup>	.26
23	2/28/2018	Outfall 1 Downstream	Copper	mg/L	.356	.013 <sup>2</sup>	.262
24	2/28/2018	Outfall 1 Downstream	Iron	mg/L	10.6	.3 <sup>1</sup>	1.0 <sup>3</sup>
25	2/28/2018	Outfall 1 Downstream	Aluminum	mg/L	9.79	.75 <sup>3</sup>	.75
26	2/28/2018	Outfall 1 Downstream	pH		11.83	Not < 6.5 or > 8.5	Not < 6.0 or > 9.0
27	2/28/2018	Outfall 1 Downstream	TSS	mg/L	866	100 <sup>3</sup>	100/400 <sup>4</sup>

28	2/28/2018	Outfall 1 Downstream	COD	mg/L	205	120	120
29	2/28/2018	Outfall 1 Downstream	Zinc	mg/L	1.14	.12 <sup>2</sup>	.26
30	3/17/2018	Outfall 1 Downstream	TSS	mg/L	149	100 <sup>3</sup>	100
31	3/17/2018	Outfall 1 Downstream	Iron	mg/L	3.36	.3 <sup>1</sup>	1.0 <sup>3</sup>
32	3/17/2018	Outfall 1 Downstream	Aluminum	mg/L	2.79	.75 <sup>3</sup>	.75
33	3/17/2018	Outfall 1 Downstream	Zinc	mg/L	.36	.12 <sup>2</sup>	.26
<sup>1</sup> Basin Plan Objective for Escondido Creek (Table 3.2)							
<sup>2</sup> CTR based on 100 mg/L hardness							
<sup>3</sup> MSGP EPA Benchmark Table 8.E-1							
<sup>4</sup> The instantaneous maximum NAL for TSS is 400 mg/L							

Further, Coastkeeper and CERF put the Facility Owners and/or Operators on notice that the New Industrial Permit Effluent Limitation V(A) is an independent requirement that must be complied with, and that carrying out the iterative process triggered by exceedances of the Numeric Action Levels ("NALs") listed at Table 2 of the New Industrial Permit does not amount to compliance with Effluent Limitation V.A. Exceedances of the NALs demonstrate that a facility (such as the Superior Ready Mix Facility) is among the worst performing facilities in the State. Moreover, the NALs do not represent technology-based criteria relevant to determining whether an industrial facility has implemented BMPs that achieve BAT/BCT. Thus, even if the Facility Owners and/or Operators are engaged in the NAL iterative process and submit an Exceedance Response Action Plan under Section XII of the Permit, the violations of Effluent Limitation V(A) described herein are ongoing and continuous.

#### **D. Inadequate Storm Water Pollution Prevention Plan**

One of the main requirements for the General Industrial Permit is the Storm Water Pollution Prevention Plan (SWPPP). (General Industrial Permit §A; New Industrial Permit §X.). Superior Ready Mix has not developed an adequate SWPPP as required by the General Permit or New Industrial Permit, with many of the required elements noticeably absent from the Escondido Facility SWPPP. (New Industrial Permit, §X.A.1-10).

The latest Superior Ready Mix SWPPP, dated June 2015, fails to adequately assess the Facility's potential contribution of pollutants for which the receiving waters (Escondido Creek and San Elijo Lagoon) are impaired. Escondido Creek is on the 303(d) list as impaired for numerous constituents, including E Coli and Enterococcus, Manganese, Selenium, Nitrate, Nitrite and Total Nitrogen, Phosphate, Sulfates, Total DDT (including DDD, DDE and DDT), and Total Dissolved Solids. San Elijo Lagoon is likewise impaired for dissolved oxygen, E Coli and Enterococcus. The Pacific Ocean shoreline at the San Elijo Lagoon is impaired for E Coli and Enterococcus. However, the Facility SWPPP fails to identify the correct receiving waters, much less the appropriate 303(d) impairments. (SWPPP, p. 41 [identifying San



Dieguito Creek and Santa Maria Creek as receiving waters and diazinon and sediment as 303(d) listed pollutants]). Many of these pollutants are likely associated with Superior Ready Mix operations and present at the Escondido Facility. For example, the EPA Industrial Fact Sheet for Sector E, Glass, Clay, Cement, Concrete, and Gypsum Product Manufacturing Facilities lists lead, iron zinc, and aluminum as common pollutants associated with concrete manufacturing facilities.<sup>2</sup> In addition, several other Superior Ready Mix facilities' monitoring data reflects nutrients (nitrate/nitrite nitrogen) are present onsite, and monitoring data from other ready mix facilities indicates phosphorus is a pollutant of concern associated with concrete manufacturing facilities.<sup>3</sup>

Not only has Superior Ready Mix failed to assess which 303(d) listed pollutants are found on site, it has failed to monitor for those it has already identified. For example, in its 2015-2016 and 2016-2017 Annual Reports, Superior Ready Mix identifies Total Dissolved Solids as a pollutant associated with the Facility. Nonetheless, Superior Ready Mix did not monitor its discharge for TDS the one time it sampled a qualifying storm event (December 16, 2016).

The latest SWPPP also fails to account for the violations identified by Superior Ready Mix's monitoring data and its neighbor's run-on monitoring data – ensuring these violations continue. The SWPPP is therefore inadequate. (See New Industrial Permit §I.E.37. [“Compliance with water quality standards may, in some cases, require Dischargers to implement controls that are more protective than controls implemented solely to comply with the technology-based requirements in this General Permit.”]). In addition, though the Facility has entered Level 1 status, the SWPPP has not been updated, nor have treatment control BMPs been “revisited” as warranted by the Facility's discharge monitoring data. (See, SWPPP, p. 30). The New Industrial Permit requires revisions to SWPPPs to identify BMP improvement, implementation and additions to prevent further exceedances of the NALs, or otherwise comply with the Storm Water Permit. (New Industrial Permit, § XII.C).

Lastly, the SWPPP identifies the Facility as the “Romana” Facility though the site is in Escondido. This is likely the reason the receiving waters and 303(d) listed parameters are incorrect. Such mistakes further underscore the carelessness and lack of attention to detail evident throughout the SWPPP. The SWPPP's inadequacy is in turn reflected in the Facility's failure to comply with other aspects of the Permit, including the effluent limitations, discharge prohibitions, and receiving water limitations.

Every day the Superior Ready Mix Owners and/or Operators operate the Facility without an adequate SWPPP, is a separate and distinct violation of the General Industrial Permit, New Industrial Permit, and Section 301(a) of the Clean Water Act, 33 U.S.C. § 1311(a). The Superior Ready Mix Owners and/or Operators have been in daily and continuous violation of the General Industrial Permit and New Industrial Permit since at least December 12, 2012. These violations are ongoing and the Superior Ready Mix Owners and/or Operators will continue to be in violation every day they fail provide an adequate SWPPP for the Facility. Thus, the Superior Ready Mix Owners and/or Operators are liable for

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<sup>2</sup> [https://www.epa.gov/sites/production/files/2015-10/documents/sector\\_e\\_glass.pdf](https://www.epa.gov/sites/production/files/2015-10/documents/sector_e_glass.pdf)

<sup>3</sup> See data for Superior Ready Mix facilities at 1130 State Street, 24161 State Street, and 7500 Mission Gorge Road and Cemex Construction at 20903 Currier Road, HBE Colfax at 44 Central Street, Hanson National City Batch Plant at 601 W 12<sup>th</sup> Street, Hanson Oceanside RMC Plant at 1050 Airport Road, and Randall Sand Gravel at 214 West River Lane.



civil penalties of up to \$37,500 per day of violations prior to November 2, 2015, and \$51,570 per day of violations occurring after November 2, 2015. (33 U.S.C. §1319(d); 40 CFR 19.4; New Industrial Permit, §XXI.Q.1).

#### **E. Unauthorized Non-Storm Water Discharges**

Except as authorized by Special Conditions D(1) of the Storm Water Permit, Discharge Prohibition A(1) prohibits permittees from discharging materials other than storm water (non-storm water discharges) either directly or indirectly to waters of the United States. The 2015 Permit includes the same discharge prohibition. (New Industrial Permit, Discharge Prohibition III.B.). Prohibited non-storm water discharges must be either eliminated or permitted by a separate NPDES permit. (Storm Water Permit, Discharge Prohibition A(1); New Industrial Permit, Discharge Prohibition III.B., IV.A-B).

Information available to CERF and Coastkeeper indicates that unauthorized non-storm water discharges occur at the Facility due to inadequate BMP development and/or implementation necessary to prevent these discharges. Not only is Superior Ready Mix's unauthorized non-storm water discharge reflected in the monitoring data above, but also in its SWPPP. The Facility SWPPP details the use of a series of ponds and a concrete sump. When the ponds are full "storm water runoff exists the property through an underground pipe connected to the storm water conveyance system." (SWPPP, p. 1).<sup>4</sup> However, the "sump is positioned to catch runoff from rain as well as concrete truck wash out activities." (*Id.*; see also, SWPPP, p. 8 ["The sumps are positioned to catch runoff as well as water generated from rinsing and wash out of concrete trucks..."]).

Therefore, unauthorized non-storm water discharges occur from the Facility's washing and cleaning activities (i) during dry weather and (ii) when comingled wash water and storm water are discharged during rain events. Non-storm water discharges resulting from washing and cleaning activities do not qualify as authorized non-storm water discharges in Section IV.A. of the Permit without implementation of BMPs and if in violation of a Regional permit. Notably, the San Diego Regional Municipal Separate Storm Sewer System (MS4) Permit Section E.2.a. prohibits the discharge of unauthorized non-storm water as an illicit discharge. Wash water is not listed among the authorized non-storm water discharges. (MS4 Permit, Section E.2.a.(3),(4)).<sup>5</sup>

These discharge violations are ongoing and will continue until the Superior Ready Mix Owners and/or Operators develop and implement BMPs that prevent prohibited non-storm water discharges or obtain separate NPDES permit coverage. Each time the Superior Ready Mix Owners and/or Operators discharge prohibited non-storm water in violation of Discharge Prohibition III.B. of the Permit is a separate and distinct violation of the Storm Water Permit and section 301(a) of the Clean Water Act, 33 U.S.C. § 1311(a). CERF will update the number and dates of violations when additional information becomes available. The Superior Ready Mix Owners and/or Operators are subject to civil penalties for all violations of the Clean Water Act occurring since April 25, 2013.

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<sup>4</sup> This underground pipe leads directly to California Metal Service's property (without additional input) at which point it comingles with California Metal Service's runoff and enters the City's storm drains.

<sup>5</sup> Similar illicit discharge issues were identified by the City of Oceanside and Regional Water Board at the Superior Ready Mix Oceanside Facility in 2016.

#### **F. Inadequate Level 1 ERA Report**

The Facility entered Level 1 status for iron as a result of its December 16, 2016 sampling data. The Level 1 ERA Report states: "The sump prior to the discharge point will be cleaned out. Dirt and other material has accumulated [sic] the sump which may be picked up by storm water, potentially adding pollutants to storm water discharges." (Level 1 ERA Report, p. 34). The only recommended action is "Clean out sump at outfall." (*Id.* at p. 37). No other actions, BMPs, or SWPPP revisions are proposed. Because the recommended sump cleaning does nothing to address the Facility's unauthorized non-storm water discharges or the high levels of pollutants in the Facility's storm water discharge itself, the Level 1 ERA Report is woefully inadequate. Further, as reflected in the samples obtained by Superior Ready Mix's neighbor, the recommended action has failed to bring the Facility into compliance with the NALs, effluent limitations, or the receiving water limitations. The Facility has no treatment control BMPs or other advanced BMPs. (SWPPP, pp. 30-31). Accordingly, the Level 1 ERA Report fails to meet the requirements of Section XII(C) of the New Industrial Permit.

Every day the Superior Ready Mix Owners and/or Operators fail to submit an adequate Level 1 ERA Report is a separate and distinct violation of the Industrial Permit and Section 301(a) of the Clean Water Act. (33 U.S.C. § 1311(a)). These violations are ongoing and the Superior Ready Mix Owners and/or Operators will continue to be in violation every day they fail to revise and submit an appropriate Level 1 ERA Report.

#### **III. Remedies**

Upon expiration of the 60-day period, CERF and Coastkeeper will file a citizen suit under Section 505(a) of the Clean Water Act for the above-referenced violations. During the 60-day notice period, however, CERF and Coastkeeper are willing to discuss effective remedies for the violations noted in this letter. If you wish to pursue such discussions in the absence of litigation, it is suggested that you initiate those discussions immediately. If good faith negotiations are not being made, at the close of the 60-day notice period, CERF and Coastkeeper will move forward expeditiously with litigation.

Superior Ready Mix must develop and implement an updated SWPPP, install BMPs to address the numerous and ongoing water quality violations, and implement a robust monitoring and reporting plan. Should the Superior Ready Mix Owners and/or Operators fail to do so, CERF and Coastkeeper will file an action against Superior Ready Mix for its prior, current, and anticipated violations of the Clean Water Act. CERF and Coastkeeper's action will seek all remedies available under the Clean Water Act § 1365(a)(d). CERF and Coastkeeper will seek the maximum penalty available under the law which is \$37,500 per day for violations prior to November 2, 2015, and \$51,570 per day for violations occurring after November 2, 2015. (33 U.S.C. § 1319(d); 40 CFR 19.4; New Industrial Permit, §XXI.Q.1). CERF and Coastkeeper may further seek a court order to prevent Superior Ready Mix from discharging pollutants.

Lastly, section 505(d) of the Clean Water Act, 33 U.S.C. § 1365(d), permits prevailing parties to recover costs, including attorneys' and experts' fees. CERF and Coastkeeper will seek to recover all of their costs and fees pursuant to section 505(d).



**IV. Conclusion**


CERF and Coastkeeper have retained legal counsel to represent it in this matter. Please direct all communications to CERF and Coastkeeper's legal counsel:

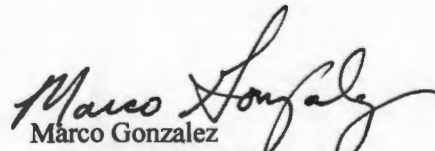
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If you wish to pursue settlement discussions in the absence of litigation, please contact Coast Law Group LLP and San Diego Coastkeeper immediately.

Sincerely,

  
Matt O'Malley  
Attorney for San Diego Coastkeeper

  
Marco Gonzalez  
Livia Borak Beaudin  
Attorneys for Coastal Environmental  
Rights Foundation

**SERVICE LIST**

**VIA U.S. MAIL**

Scott Pruitt  
Administrator  
U.S. Environmental Protection Agency  
Ariel Rios Building  
1200 Pennsylvania Avenue, N.W.  
Washington, D.C. 20460

Eileen Sobeck  
Executive Director  
State Water Resources Control Board  
P.O. Box 100  
Sacramento, CA 95812-0110

Alexis Strauss  
Acting Regional Administrator  
U.S. Environmental Protection Agency, Region IX  
75 Hawthorne Street  
San Francisco, California 94105

David W. Gibson  
Executive Officer  
San Diego Regional Water Quality Control Board  
2375 Northside Drive, Suite 100  
San Diego, California 92108



# **EXHIBIT A**



Exhibit A. Precipitation Data

STATION	NAME	LATITUDE	LONGITUDE	ELEVATION	DATE	PRCP
USC00042863	ESCONDIDO NUMBER 2, CA US	33.121	-117.09	182.9	10/6/2010	0.21
USC00042863	ESCONDIDO NUMBER 2, CA US	33.121	-117.09	182.9	10/18/2010	0.32
USC00042863	ESCONDIDO NUMBER 2, CA US	33.121	-117.09	182.9	10/19/2010	2.04
USC00042863	ESCONDIDO NUMBER 2, CA US	33.121	-117.09	182.9	10/20/2010	0.83
USC00042863	ESCONDIDO NUMBER 2, CA US	33.121	-117.09	182.9	10/25/2010	0.23
USC00042863	ESCONDIDO NUMBER 2, CA US	33.121	-117.09	182.9	10/30/2010	0.19
USC00042863	ESCONDIDO NUMBER 2, CA US	33.121	-117.09	182.9	11/20/2010	0.38
USC00042863	ESCONDIDO NUMBER 2, CA US	33.121	-117.09	182.9	11/21/2010	0.57
USC00042863	ESCONDIDO NUMBER 2, CA US	33.121	-117.09	182.9	11/24/2010	0.15
USC00042863	ESCONDIDO NUMBER 2, CA US	33.121	-117.09	182.9	11/28/2010	0.13
USC00042863	ESCONDIDO NUMBER 2, CA US	33.121	-117.09	182.9	12/16/2010	0.12
USC00042863	ESCONDIDO NUMBER 2, CA US	33.121	-117.09	182.9	12/18/2010	0.51
USC00042863	ESCONDIDO NUMBER 2, CA US	33.121	-117.09	182.9	12/19/2010	0.33
USC00042863	ESCONDIDO NUMBER 2, CA US	33.121	-117.09	182.9	12/20/2010	1.24
USC00042863	ESCONDIDO NUMBER 2, CA US	33.121	-117.09	182.9	12/21/2010	2.04
USC00042863	ESCONDIDO NUMBER 2, CA US	33.121	-117.09	182.9	12/22/2010	3.02
USC00042863	ESCONDIDO NUMBER 2, CA US	33.121	-117.09	182.9	12/26/2010	0.39
USC00042863	ESCONDIDO NUMBER 2, CA US	33.121	-117.09	182.9	12/29/2010	1.05
USC00042863	ESCONDIDO NUMBER 2, CA US	33.121	-117.09	182.9	1/3/2011	0.87
USC00042863	ESCONDIDO NUMBER 2, CA US	33.121	-117.09	182.9	1/4/2011	0.1
USC00042863	ESCONDIDO NUMBER 2, CA US	33.121	-117.09	182.9	1/31/2011	0.15
USC00042863	ESCONDIDO NUMBER 2, CA US	33.121	-117.09	182.9	2/16/2011	0.29
USC00042863	ESCONDIDO NUMBER 2, CA US	33.121	-117.09	182.9	2/18/2011	0.23
USC00042863	ESCONDIDO NUMBER 2, CA US	33.121	-117.09	182.9	2/20/2011	0.61
USC00042863	ESCONDIDO NUMBER 2, CA US	33.121	-117.09	182.9	2/26/2011	1.48
USC00042863	ESCONDIDO NUMBER 2, CA US	33.121	-117.09	182.9	2/27/2011	0.14
USC00042863	ESCONDIDO NUMBER 2, CA US	33.121	-117.09	182.9	3/7/2011	0.16
USC00042863	ESCONDIDO NUMBER 2, CA US	33.121	-117.09	182.9	3/21/2011	1.51
USC00042863	ESCONDIDO NUMBER 2, CA US	33.121	-117.09	182.9	3/24/2011	0.34
USC00042863	ESCONDIDO NUMBER 2, CA US	33.121	-117.09	182.9	3/25/2011	0.15
USC00042863	ESCONDIDO NUMBER 2, CA US	33.121	-117.09	182.9	4/8/2011	0.12
USC00042863	ESCONDIDO NUMBER 2, CA US	33.121	-117.09	182.9	4/9/2011	0.29
USC00042863	ESCONDIDO NUMBER 2, CA US	33.121	-117.09	182.9	5/17/2011	0.25
USC00042863	ESCONDIDO NUMBER 2, CA US	33.121	-117.09	182.9	5/18/2011	0.34
USC00042863	ESCONDIDO NUMBER 2, CA US	33.121	-117.09	182.9	10/5/2011	0.16
USC00042863	ESCONDIDO NUMBER 2, CA US	33.121	-117.09	182.9	10/6/2011	0.33
USC00042863	ESCONDIDO NUMBER 2, CA US	33.121	-117.09	182.9	11/4/2011	0.34
USC00042863	ESCONDIDO NUMBER 2, CA US	33.121	-117.09	182.9	11/5/2011	0.35
USC00042863	ESCONDIDO NUMBER 2, CA US	33.121	-117.09	182.9	11/6/2011	0.17
USC00042863	ESCONDIDO NUMBER 2, CA US	33.121	-117.09	182.9	11/12/2011	1.18
USC00042863	ESCONDIDO NUMBER 2, CA US	33.121	-117.09	182.9	11/21/2011	0.96
USC00042863	ESCONDIDO NUMBER 2, CA US	33.121	-117.09	182.9	12/12/2011	0.42
USC00042863	ESCONDIDO NUMBER 2, CA US	33.121	-117.09	182.9	12/13/2011	0.66
USC00042863	ESCONDIDO NUMBER 2, CA US	33.121	-117.09	182.9	1/16/2012	0.14
USC00042863	ESCONDIDO NUMBER 2, CA US	33.121	-117.09	182.9	1/21/2012	0.24
USC00042863	ESCONDIDO NUMBER 2, CA US	33.121	-117.09	182.9	1/23/2012	0.28



Exhibit A. Precipitation Data

USC00042863	ESCONDIDO NUMBER 2, CA US	33.121	-117.09	182.9	2/14/2012	0.38
USC00042863	ESCONDIDO NUMBER 2, CA US	33.121	-117.09	182.9	2/16/2012	0.3
USC00042863	ESCONDIDO NUMBER 2, CA US	33.121	-117.09	182.9	2/27/2012	0.27
USC00042863	ESCONDIDO NUMBER 2, CA US	33.121	-117.09	182.9	2/28/2012	0.75
USC00042863	ESCONDIDO NUMBER 2, CA US	33.121	-117.09	182.9	3/17/2012	0.86
USC00042863	ESCONDIDO NUMBER 2, CA US	33.121	-117.09	182.9	3/18/2012	0.66
USC00042863	ESCONDIDO NUMBER 2, CA US	33.121	-117.09	182.9	3/19/2012	0.18
USC00042863	ESCONDIDO NUMBER 2, CA US	33.121	-117.09	182.9	3/26/2012	0.58
USC00042863	ESCONDIDO NUMBER 2, CA US	33.121	-117.09	182.9	4/11/2012	0.36
USC00042863	ESCONDIDO NUMBER 2, CA US	33.121	-117.09	182.9	4/13/2012	0.46
USC00042863	ESCONDIDO NUMBER 2, CA US	33.121	-117.09	182.9	4/14/2012	0.45
USC00042863	ESCONDIDO NUMBER 2, CA US	33.121	-117.09	182.9	4/26/2012	0.37
USC00042863	ESCONDIDO NUMBER 2, CA US	33.121	-117.09	182.9	10/12/2012	0.44
USC00042863	ESCONDIDO NUMBER 2, CA US	33.121	-117.09	182.9	10/21/2012	0.16
USC00042863	ESCONDIDO NUMBER 2, CA US	33.121	-117.09	182.9	10/22/2012	0.11
USC00042863	ESCONDIDO NUMBER 2, CA US	33.121	-117.09	182.9	11/9/2012	0.1
USC00042863	ESCONDIDO NUMBER 2, CA US	33.121	-117.09	182.9	11/10/2012	0.13
USC00042863	ESCONDIDO NUMBER 2, CA US	33.121	-117.09	182.9	11/29/2012	0.12
USC00042863	ESCONDIDO NUMBER 2, CA US	33.121	-117.09	182.9	11/30/2012	0.3
USC00042863	ESCONDIDO NUMBER 2, CA US	33.121	-117.09	182.9	12/13/2012	1.73
USC00042863	ESCONDIDO NUMBER 2, CA US	33.121	-117.09	182.9	12/15/2012	0.11
USC00042863	ESCONDIDO NUMBER 2, CA US	33.121	-117.09	182.9	12/17/2012	0.12
USC00042863	ESCONDIDO NUMBER 2, CA US	33.121	-117.09	182.9	12/18/2012	0.14
USC00042863	ESCONDIDO NUMBER 2, CA US	33.121	-117.09	182.9	12/24/2012	0.27
USC00042863	ESCONDIDO NUMBER 2, CA US	33.121	-117.09	182.9	12/30/2012	0.2
USC00042863	ESCONDIDO NUMBER 2, CA US	33.121	-117.09	182.9	1/7/2013	0.3
USC00042863	ESCONDIDO NUMBER 2, CA US	33.121	-117.09	182.9	1/25/2013	0.39
USC00042863	ESCONDIDO NUMBER 2, CA US	33.121	-117.09	182.9	1/26/2013	0.56
USC00042863	ESCONDIDO NUMBER 2, CA US	33.121	-117.09	182.9	1/27/2013	0.25
USC00042863	ESCONDIDO NUMBER 2, CA US	33.121	-117.09	182.9	2/8/2013	0.31
USC00042863	ESCONDIDO NUMBER 2, CA US	33.121	-117.09	182.9	2/20/2013	0.33
USC00042863	ESCONDIDO NUMBER 2, CA US	33.121	-117.09	182.9	2/21/2013	0.17
USC00042863	ESCONDIDO NUMBER 2, CA US	33.121	-117.09	182.9	3/8/2013	1.41
USC00042863	ESCONDIDO NUMBER 2, CA US	33.121	-117.09	182.9	3/9/2013	0.33
USC00042863	ESCONDIDO NUMBER 2, CA US	33.121	-117.09	182.9	5/6/2013	0.55
USC00042863	ESCONDIDO NUMBER 2, CA US	33.121	-117.09	182.9	10/10/2013	0.44
USC00042863	ESCONDIDO NUMBER 2, CA US	33.121	-117.09	182.9	10/28/2013	0.1
USC00042863	ESCONDIDO NUMBER 2, CA US	33.121	-117.09	182.9	10/29/2013	0.51
USC00042863	ESCONDIDO NUMBER 2, CA US	33.121	-117.09	182.9	11/21/2013	0.24
USC00042863	ESCONDIDO NUMBER 2, CA US	33.121	-117.09	182.9	12/7/2013	0.23
USC00042863	ESCONDIDO NUMBER 2, CA US	33.121	-117.09	182.9	12/19/2013	0.15
USC00042863	ESCONDIDO NUMBER 2, CA US	33.121	-117.09	182.9	1/31/2014	0.19
USC00042863	ESCONDIDO NUMBER 2, CA US	33.121	-117.09	182.9	2/7/2014	0.19
USC00042863	ESCONDIDO NUMBER 2, CA US	33.121	-117.09	182.9	2/26/2014	0.16
USC00042863	ESCONDIDO NUMBER 2, CA US	33.121	-117.09	182.9	2/27/2014	0.8
USC00042863	ESCONDIDO NUMBER 2, CA US	33.121	-117.09	182.9	2/28/2014	0.93
USC00042863	ESCONDIDO NUMBER 2, CA US	33.121	-117.09	182.9	3/1/2014	0.25



Exhibit A. Precipitation Data

USC00042863	ESCONDIDO NUMBER 2, CA US	33.121	-117.09	182.9	3/2/2014	0.12
USC00042863	ESCONDIDO NUMBER 2, CA US	33.121	-117.09	182.9	4/1/2014	0.15
USC00042863	ESCONDIDO NUMBER 2, CA US	33.121	-117.09	182.9	4/2/2014	0.2
USC00042863	ESCONDIDO NUMBER 2, CA US	33.121	-117.09	182.9	4/26/2014	0.67
USC00042863	ESCONDIDO NUMBER 2, CA US	33.121	-117.09	182.9	11/1/2014	0.41
USC00042863	ESCONDIDO NUMBER 2, CA US	33.121	-117.09	182.9	11/21/2014	0.31
USC00042863	ESCONDIDO NUMBER 2, CA US	33.121	-117.09	182.9	12/3/2014	0.85
USC00042863	ESCONDIDO NUMBER 2, CA US	33.121	-117.09	182.9	12/4/2014	0.3
USC00042863	ESCONDIDO NUMBER 2, CA US	33.121	-117.09	182.9	12/12/2014	0.82
USC00042863	ESCONDIDO NUMBER 2, CA US	33.121	-117.09	182.9	12/13/2014	0.31
USC00042863	ESCONDIDO NUMBER 2, CA US	33.121	-117.09	182.9	12/16/2014	0.1
USC00042863	ESCONDIDO NUMBER 2, CA US	33.121	-117.09	182.9	12/17/2014	0.49
USC00042863	ESCONDIDO NUMBER 2, CA US	33.121	-117.09	182.9	12/31/2014	0.66
USC00042863	ESCONDIDO NUMBER 2, CA US	33.121	-117.09	182.9	1/11/2015	0.18
USC00042863	ESCONDIDO NUMBER 2, CA US	33.121	-117.09	182.9	1/12/2015	0.15
USC00042863	ESCONDIDO NUMBER 2, CA US	33.121	-117.09	182.9	1/27/2015	0.11
USC00042863	ESCONDIDO NUMBER 2, CA US	33.121	-117.09	182.9	2/23/2015	0.85
USC00042863	ESCONDIDO NUMBER 2, CA US	33.121	-117.09	182.9	3/1/2015	0.75
USC00042863	ESCONDIDO NUMBER 2, CA US	33.121	-117.09	182.9	3/2/2015	0.72
USC00042863	ESCONDIDO NUMBER 2, CA US	33.121	-117.09	182.9	4/24/2015	0.19
USC00042863	ESCONDIDO NUMBER 2, CA US	33.121	-117.09	182.9	5/8/2015	0.54
USC00042863	ESCONDIDO NUMBER 2, CA US	33.121	-117.09	182.9	5/15/2015	0.47
USC00042863	ESCONDIDO NUMBER 2, CA US	33.121	-117.09	182.9	5/22/2015	0.17
USC00042863	ESCONDIDO NUMBER 2, CA US	33.121	-117.09	182.9	6/30/2015	0.25
USC00042863	ESCONDIDO NUMBER 2, CA US	33.121	-117.09	182.9	7/18/2015	0.6
USC00042863	ESCONDIDO NUMBER 2, CA US	33.121	-117.09	182.9	7/19/2015	0.15
USC00042863	ESCONDIDO NUMBER 2, CA US	33.121	-117.09	182.9	7/20/2015	0.45
USC00042863	ESCONDIDO NUMBER 2, CA US	33.121	-117.09	182.9	9/15/2015	0.75
USC00042863	ESCONDIDO NUMBER 2, CA US	33.121	-117.09	182.9	9/16/2015	0.16
USC00042863	ESCONDIDO NUMBER 2, CA US	33.121	-117.09	182.9	10/4/2015	0.43
USC00042863	ESCONDIDO NUMBER 2, CA US	33.121	-117.09	182.9	10/5/2015	0.12
USC00042863	ESCONDIDO NUMBER 2, CA US	33.121	-117.09	182.9	11/3/2015	0.22
US1CASD0124	ESCONDIDO 4.0 SSW, CA US	33.0823	-117.0931	232.3	11/3/2015	0.18
US1CASD0124	ESCONDIDO 4.0 SSW, CA US	33.0823	-117.0931	232.3	11/4/2015	0.26
USC00042863	ESCONDIDO NUMBER 2, CA US	33.121	-117.09	182.9	11/4/2015	0.1
USC00042863	ESCONDIDO NUMBER 2, CA US	33.121	-117.09	182.9	11/10/2015	0.13
US1CASD0124	ESCONDIDO 4.0 SSW, CA US	33.0823	-117.0931	232.3	11/25/2015	0.14
USC00042863	ESCONDIDO NUMBER 2, CA US	33.121	-117.09	182.9	11/25/2015	0.14
USC00042863	ESCONDIDO NUMBER 2, CA US	33.121	-117.09	182.9	11/27/2015	0.34
US1CASD0124	ESCONDIDO 4.0 SSW, CA US	33.0823	-117.0931	232.3	11/27/2015	0.26
US1CASD0124	ESCONDIDO 4.0 SSW, CA US	33.0823	-117.0931	232.3	11/28/2015	0.15
USC00042863	ESCONDIDO NUMBER 2, CA US	33.121	-117.09	182.9	12/11/2015	0.36
US1CASD0124	ESCONDIDO 4.0 SSW, CA US	33.0823	-117.0931	232.3	12/12/2015	0.21
USC00042863	ESCONDIDO NUMBER 2, CA US	33.121	-117.09	182.9	12/14/2015	0.24
US1CASD0124	ESCONDIDO 4.0 SSW, CA US	33.0823	-117.0931	232.3	12/14/2015	0.22
USC00042863	ESCONDIDO NUMBER 2, CA US	33.121	-117.09	182.9	12/20/2015	0.13
USC00042863	ESCONDIDO NUMBER 2, CA US	33.121	-117.09	182.9	12/22/2015	0.49



Exhibit A. Precipitation Data

USC00042863	ESCONDIDO NUMBER 2, CA US	33.121	-117.09	182.9	12/23/2015	0.19
USC00042863	ESCONDIDO NUMBER 2, CA US	33.121	-117.09	182.9	1/4/2016	0.18
USC00042863	ESCONDIDO NUMBER 2, CA US	33.121	-117.09	182.9	1/5/2016	1.29
US1CASD0124	ESCONDIDO 4.0 SSW, CA US	33.0823	-117.0931	232.3	1/6/2016	1.27
USC00042863	ESCONDIDO NUMBER 2, CA US	33.121	-117.09	182.9	1/6/2016	1.12
US1CASD0124	ESCONDIDO 4.0 SSW, CA US	33.0823	-117.0931	232.3	1/7/2016	1.39
USC00042863	ESCONDIDO NUMBER 2, CA US	33.121	-117.09	182.9	1/7/2016	0.58
US1CASD0124	ESCONDIDO 4.0 SSW, CA US	33.0823	-117.0931	232.3	1/8/2016	0.64
US1CASD0124	ESCONDIDO 4.0 SSW, CA US	33.0823	-117.0931	232.3	1/31/2016	1.28
USC00042863	ESCONDIDO NUMBER 2, CA US	33.121	-117.09	182.9	1/31/2016	1.14
US1CASD0124	ESCONDIDO 4.0 SSW, CA US	33.0823	-117.0931	232.3	2/18/2016	0.14
USC00042863	ESCONDIDO NUMBER 2, CA US	33.121	-117.09	182.9	2/18/2016	0.13
USC00042863	ESCONDIDO NUMBER 2, CA US	33.121	-117.09	182.9	3/6/2016	0.34
US1CASD0124	ESCONDIDO 4.0 SSW, CA US	33.0823	-117.0931	232.3	3/6/2016	0.29
USC00042863	ESCONDIDO NUMBER 2, CA US	33.121	-117.09	182.9	3/7/2016	0.49
US1CASD0124	ESCONDIDO 4.0 SSW, CA US	33.0823	-117.0931	232.3	3/8/2016	0.83
USC00042863	ESCONDIDO NUMBER 2, CA US	33.121	-117.09	182.9	3/8/2016	0.2
US1CASD0124	ESCONDIDO 4.0 SSW, CA US	33.0823	-117.0931	232.3	3/12/2016	0.33
USC00042863	ESCONDIDO NUMBER 2, CA US	33.121	-117.09	182.9	3/12/2016	0.12
USC00042863	ESCONDIDO NUMBER 2, CA US	33.121	-117.09	182.9	4/7/2016	0.17
US1CASD0124	ESCONDIDO 4.0 SSW, CA US	33.0823	-117.0931	232.3	4/8/2016	0.31
US1CASD0124	ESCONDIDO 4.0 SSW, CA US	33.0823	-117.0931	232.3	4/10/2016	0.86
USC00042863	ESCONDIDO NUMBER 2, CA US	33.121	-117.09	182.9	4/10/2016	0.68
US1CASD0124	ESCONDIDO 4.0 SSW, CA US	33.0823	-117.0931	232.3	4/11/2016	0.52
US1CASD0124	ESCONDIDO 4.0 SSW, CA US	33.0823	-117.0931	232.3	5/6/2016	0.25
USC00042863	ESCONDIDO NUMBER 2, CA US	33.121	-117.09	182.9	5/6/2016	0.22
USC00042863	ESCONDIDO NUMBER 2, CA US	33.121	-117.09	182.9	5/7/2016	0.13
USC00042863	ESCONDIDO NUMBER 2, CA US	33.121	-117.09	182.9	9/20/2016	0.26
US1CASD0124	ESCONDIDO 4.0 SSW, CA US	33.0823	-117.0931	232.3	9/21/2016	0.45
USC00042863	ESCONDIDO NUMBER 2, CA US	33.121	-117.09	182.9	9/21/2016	0.36
USC00042863	ESCONDIDO NUMBER 2, CA US	33.121	-117.09	182.9	11/21/2016	1.05
USC00042863	ESCONDIDO NUMBER 2, CA US	33.121	-117.09	182.9	11/26/2016	0.23
USC00042863	ESCONDIDO NUMBER 2, CA US	33.121	-117.09	182.9	11/27/2016	0.79
USC00042863	ESCONDIDO NUMBER 2, CA US	33.121	-117.09	182.9	11/28/2016	0.15
USC00042863	ESCONDIDO NUMBER 2, CA US	33.121	-117.09	182.9	12/16/2016	2.01
US1CASD0124	ESCONDIDO 4.0 SSW, CA US	33.0823	-117.0931	232.3	12/16/2016	1.44
US1CASD0124	ESCONDIDO 4.0 SSW, CA US	33.0823	-117.0931	232.3	12/17/2016	0.58
USC00042863	ESCONDIDO NUMBER 2, CA US	33.121	-117.09	182.9	12/22/2016	1.07
USC00042863	ESCONDIDO NUMBER 2, CA US	33.121	-117.09	182.9	12/23/2016	0.12
USC00042863	ESCONDIDO NUMBER 2, CA US	33.121	-117.09	182.9	12/24/2016	1
USC00042863	ESCONDIDO NUMBER 2, CA US	33.121	-117.09	182.9	12/30/2016	0.2
USC00042863	ESCONDIDO NUMBER 2, CA US	33.121	-117.09	182.9	12/31/2016	0.29
US1CASD0124	ESCONDIDO 4.0 SSW, CA US	33.0823	-117.0931	232.3	12/31/2016	0.18
US1CASD0124	ESCONDIDO 4.0 SSW, CA US	33.0823	-117.0931	232.3	1/1/2017	0.72
USC00042863	ESCONDIDO NUMBER 2, CA US	33.121	-117.09	182.9	1/1/2017	0.65
USC00042863	ESCONDIDO NUMBER 2, CA US	33.121	-117.09	182.9	1/5/2017	0.25
US1CASD0124	ESCONDIDO 4.0 SSW, CA US	33.0823	-117.0931	232.3	1/6/2017	0.35



Exhibit A. Precipitation Data

US1CASD0124	ESCONDIDO 4.0 SSW, CA US	33.0823	-117.0931	232.3	1/9/2017	0.31
USC00042863	ESCONDIDO NUMBER 2, CA US	33.121	-117.09	182.9	1/9/2017	0.28
USC00042863	ESCONDIDO NUMBER 2, CA US	33.121	-117.09	182.9	1/11/2017	0.15
US1CASD0124	ESCONDIDO 4.0 SSW, CA US	33.0823	-117.0931	232.3	1/12/2017	0.22
USC00042863	ESCONDIDO NUMBER 2, CA US	33.121	-117.09	182.9	1/12/2017	0.19
US1CASD0124	ESCONDIDO 4.0 SSW, CA US	33.0823	-117.0931	232.3	1/13/2017	0.62
USC00042863	ESCONDIDO NUMBER 2, CA US	33.121	-117.09	182.9	1/13/2017	0.54
USC00042863	ESCONDIDO NUMBER 2, CA US	33.121	-117.09	182.9	1/19/2017	0.89
US1CASD0124	ESCONDIDO 4.0 SSW, CA US	33.0823	-117.0931	232.3	1/19/2017	0.86
USC00042863	ESCONDIDO NUMBER 2, CA US	33.121	-117.09	182.9	1/20/2017	1.56
US1CASD0124	ESCONDIDO 4.0 SSW, CA US	33.0823	-117.0931	232.3	1/20/2017	0.53
US1CASD0124	ESCONDIDO 4.0 SSW, CA US	33.0823	-117.0931	232.3	1/21/2017	1.36
USC00042863	ESCONDIDO NUMBER 2, CA US	33.121	-117.09	182.9	1/21/2017	0.39
USC00042863	ESCONDIDO NUMBER 2, CA US	33.121	-117.09	182.9	1/22/2017	0.45
USC00042863	ESCONDIDO NUMBER 2, CA US	33.121	-117.09	182.9	1/23/2017	1.87
US1CASD0124	ESCONDIDO 4.0 SSW, CA US	33.0823	-117.0931	232.3	1/23/2017	1.64
USC00042863	ESCONDIDO NUMBER 2, CA US	33.121	-117.09	182.9	1/24/2017	0.52
US1CASD0124	ESCONDIDO 4.0 SSW, CA US	33.0823	-117.0931	232.3	1/24/2017	0.43
USC00042863	ESCONDIDO NUMBER 2, CA US	33.121	-117.09	182.9	2/6/2017	0.12
US1CASD0124	ESCONDIDO 4.0 SSW, CA US	33.0823	-117.0931	232.3	2/7/2017	0.73
USC00042863	ESCONDIDO NUMBER 2, CA US	33.121	-117.09	182.9	2/7/2017	0.45
US1CASD0124	ESCONDIDO 4.0 SSW, CA US	33.0823	-117.0931	232.3	2/8/2017	0.1
US1CASD0124	ESCONDIDO 4.0 SSW, CA US	33.0823	-117.0931	232.3	2/11/2017	0.11
USC00042863	ESCONDIDO NUMBER 2, CA US	33.121	-117.09	182.9	2/18/2017	1.65
US1CASD0124	ESCONDIDO 4.0 SSW, CA US	33.0823	-117.0931	232.3	2/18/2017	1.47
US1CASD0124	ESCONDIDO 4.0 SSW, CA US	33.0823	-117.0931	232.3	2/19/2017	0.42
USC00042863	ESCONDIDO NUMBER 2, CA US	33.121	-117.09	182.9	2/19/2017	0.26
USC00042863	ESCONDIDO NUMBER 2, CA US	33.121	-117.09	182.9	2/27/2017	2.38
USC00042863	ESCONDIDO NUMBER 2, CA US	33.121	-117.09	182.9	2/28/2017	2.06
US1CASD0124	ESCONDIDO 4.0 SSW, CA US	33.0823	-117.0931	232.3	3/6/2017	0.11
USC00042863	ESCONDIDO NUMBER 2, CA US	33.121	-117.09	182.9	3/23/2017	0.25
USC00042863	ESCONDIDO NUMBER 2, CA US	33.121	-117.09	182.9	5/7/2017	0.83
US1CASD0148	ESCONDIDO 2.2 W, CA US	33.1311	-117.1081	221.3	5/7/2017	0.61
US1CASD0148	ESCONDIDO 2.2 W, CA US	33.1311	-117.1081	221.3	5/8/2017	0.69
USC00042863	ESCONDIDO NUMBER 2, CA US	33.121	-117.09	182.9	5/8/2017	0.35
US1CASD0148	ESCONDIDO 2.2 W, CA US	33.1311	-117.1081	221.3	7/25/2017	0.12
USC00042863	ESCONDIDO NUMBER 2, CA US	33.121	-117.09	182.9	1/9/2018	2.1
US1CASD0148	ESCONDIDO 2.2 W, CA US	33.1311	-117.1081	221.3	1/9/2018	1.38
US1CASD0148	ESCONDIDO 2.2 W, CA US	33.1311	-117.1081	221.3	1/10/2018	1.54
USC00042863	ESCONDIDO NUMBER 2, CA US	33.121	-117.09	182.9	1/10/2018	0.68
USC00042863	ESCONDIDO NUMBER 2, CA US	33.121	-117.09	182.9	2/27/2018	0.75
US1CASD0148	ESCONDIDO 2.2 W, CA US	33.1311	-117.1081	221.3	2/27/2018	0.64
US1CASD0148	ESCONDIDO 2.2 W, CA US	33.1311	-117.1081	221.3	2/28/2018	0.35
USC00042863	ESCONDIDO NUMBER 2, CA US	33.121	-117.09	182.9	3/4/2018	0.11
US1CASD0148	ESCONDIDO 2.2 W, CA US	33.1311	-117.1081	221.3	3/4/2018	0.1
USC00042863	ESCONDIDO NUMBER 2, CA US	33.121	-117.09	182.9	3/10/2018	0.11
US1CASD0148	ESCONDIDO 2.2 W, CA US	33.1311	-117.1081	221.3	3/11/2018	0.71



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USC00042863	ESCONDIDO NUMBER 2, CA US	33.121	-117.09	182.9	3/11/2018	0.7
US1CASD0148	ESCONDIDO 2.2 W, CA US	33.1311	-117.1081	221.3	3/14/2018	0.19
US1CASD0148	ESCONDIDO 2.2 W, CA US	33.1311	-117.1081	221.3	3/15/2018	0.17
US1CASD0148	ESCONDIDO 2.2 W, CA US	33.1311	-117.1081	221.3	3/17/2018	0.6
USC00042863	ESCONDIDO NUMBER 2, CA US	33.121	-117.09	182.9	3/17/2018	0.59
US1CASD0148	ESCONDIDO 2.2 W, CA US	33.1311	-117.1081	221.3	3/23/2018	0.14